

LAW OFFICES  
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SUITE 1850 BENEFICIAL LIFE TOWER  
SALT LAKE CITY, UTAH 84111  
(801) 531-8446

TELECOPIER (801) 531-8468  
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OF COUNSEL  
MICHAEL F. JONES  
BRENT A. BOHMAN

April 17, 1992

D. Wayne Hedberg  
Permitting Supervisor, Minerals  
DIVISION OF OIL, GAS & MINING,  
Department of Natural Resources  
State of Utah  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

RECEIVED

APR 21 1992

DIVISION OF  
OIL GAS & MINING

Re: Notice of Intention to Commence Operations, Parley's  
Canyon Aggregate Company

Dear Wayne:

Pursuant to Division staff's request, the following acknowledgement and commitment is submitted to you to complete the Notice of Intention to Commence Operations for Parley's Canyon Aggregate Company dated April 10, 1992 and prepared by JBR Consultants Group:

SIGNATURE REQUIREMENT

I hereby commit to the reclamation of the aforementioned project as required by the Utah Mined Land Reclamation Act (40-8) and the Rules as specified by the Board of Oil, Gas & Mining.

Signature of Operator/Applicant: \_\_\_\_\_

Name: Frederick C. Moore

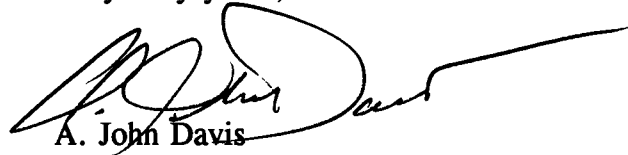
Title/Position: President, Parley's Canyon Aggregate Company

Date: April 21, 1992

D. Wayne Hedberg  
April 17, 1992  
Page 2

We trust that this will comply with the signature requirement provisions of the regulations. Please feel free to contact me if you need any additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read "A. John Davis", with a long horizontal flourish extending to the right.

A. John Davis

AJD:lmg

Wayne sent to Mike file  
cc 1 mitchell (Cowan letter only) JB

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5/035/012

April 10, 1992

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APR 13 1992

DIVISION OF  
OIL GAS & MINING

Lowell P. Braxton,  
Associate Director of Mining  
DIVISION OF OIL GAS & MINING  
Department of Natural Resources  
State of Utah  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

RE: Parley's Canyon Aggregate Company (PA), Parley Canyon Quarry,  
Salt Lake County, Utah

Dear Lowell:

Enclosed herewith is our client, Parley's Canyon Aggregate Company's ("Parley's Aggregate") Notice of Intention to commence Small Mining Operation ("Notice of Intention"). This Notice is being filed pursuant to Section R613-003 et seq. of the Rules promulgated under authority of the Utah Mined Land Reclamation Act ("the Act").

As we discussed in the April 6, 1992 meeting at your office, we respectfully disagree with the Division's conclusion, as set forth in your letter of March 31, 1992 to the undersigned, that this proposed operation is a "mining operation" as defined in the Act and regulations. It is our firm position that Parley Aggregate's operations will clearly fall under the "sand, gravel and rock aggregate" exemption found in Section 40-8-4(8)b of the Act. Further, we believe that the definition of "rock aggregate" cited in the Division's letter of March 31, 1992, has no legal force or affect because 1) it is not found in the Act and 2) the definition was specifically proposed, considered and rejected during promulgation of the rules.

Lowell P. Braxton

April 10, 1992

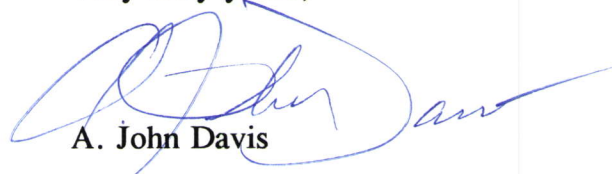
Page 2

However, in the spirit of compromise and cooperation and because of the urgent need for this material at the Little Dell Dam Project, we mutually agreed to set aside those differences of interpretation and opinion and Parley's Aggregate agreed to comply with the Small Mining Operation's section of the regulations, subject to a full reservation of rights.

Accordingly, please be advised that by agreeing to file the enclosed Notice of Intention, Parley's Aggregate is not waiving and hereby affirmatively reserves its rights to challenge, by administrative, judicial or other actions, the Division's interpretation of the Act and its claim of jurisdiction over Parley's Aggregate's extraction operations at the site.

On behalf of Parley's Aggregate, I thank you for your continuing courtesy and professional service. If you or your staff have any questions or are in need of any additional information regarding this notice, please contact either me or Brian Buck.

Very truly yours,



A. John Davis

AJD:jw

cc: Warren Reynolds, Salt Lake County (w/ encl)  
Parley's Canyon Aggregate Company (w/ encl)  
Brian Buck, JBR (w/ encl)



Assigned DOGM File No.: S 10351012

DOGM Lead: TONY GALLEGOS

ALSO KNOWN AS D/035/003  
(PREVIOUS OPERATION)

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
(801) 538-5340  
Fax: (801) 359-3940

NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

FOR QUESTIONS  
CONTACT A. JOHN DAVIS (FIRST)  
531-8446

I. GENERAL INFORMATION (Rule R647-3-104)

1. Name of Claim/Mine: PARLEY CANYON QUARRY
2. Name of Operator/Applicant: PARLEYS CANYON AGGREGATE COMPANY  
Company ☒ Corporation ( ) Partnership ( ) Individual ( )
3. Permanent Address: P.O. Box 3000  
City: PARK CITY State: UT Zip Code: 84060  
Telephone Number: (801) 649-9865

IRA SAHLS?  
-REP.?

4. Ownership of Land Surface:  
ROCK AND ROLL LAND COMPANY, A UTAH CORPORATION (SAME ADDRESS AS ABOVE)  
Private (Fee) ☒ Public Domain (BLM) ☐ National Forest (USFS) ☐  
State of Utah ☐ Other: \_\_\_\_\_

5. Ownership of Minerals: SEE #4  
Private (Fee) ☒ Public Domain (BLM) ☐ National Forest (USFS) ☐  
State of Utah ☐ Other: \_\_\_\_\_

Utah Mining Claim Number(s): NA

Utah State Lease Number(s): NA

6. Have the above owners been notified in writing? Yes ☒ No ☐  
If no, why not? \_\_\_\_\_

7. Does the operator have legal right to enter and conduct mining operations on the land covered by this notice? Yes ☒ No ☐

## II. PROJECT LOCATION & MAP (Rule R647-3-105)

1. Project Location (legal description):

County(ies): SALT LAKE COUNTY  
 \_\_\_\_\_ 1/4, of \_\_\_\_\_ 1/4, of SW 1/4: Section: 18 Township: 1S Range: 2E  
 \_\_\_\_\_ 1/4, of \_\_\_\_\_ 1/4, of NW 1/4: Section: 19 Township: 1S Range: 2E  
 \_\_\_\_\_ 1/4, of \_\_\_\_\_ 1/4, of \_\_\_\_\_ 1/4: Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

2. A topographic base map showing the location of the proposed small mining operation must be submitted with this notice. A USGS 7.5 minute series map is preferred. The areas to be disturbed should be plotted in sufficient detail so that they can be located on the ground. It is recommended that the operator also plot and label any previous disturbances in the immediate vicinity that he is not responsible for. FIG. 2

## III. OPERATION PLAN (Rule R647-3-106)

1. Type of mining: Surface ☒ Underground ☐

2. Mineral(s) to be mined: LIMESTONE (ROCK AGGREGATE AND RIP-RAP)

3. Provide a brief description of the proposed mining operation and onsite processing facilities. QUARRYING ROCK BY DRILLING & BLASTING. BENCHES SEPARATED BY 20-40 FT. VERTICAL. BLASTED ROCK TRANSPORTED TO GRIZZLY BY DOZER, FRONT-END LOADER OR TRUCK. SIZED ROCK LOAD INTO HIGHWAY-LEGAL TRUCKS FOR TRANSPORT TO MARKET (~100 TRUCKS/DAY)

EXISTING ACCESS ROAD ~1.1 ACRE NEW ACCESS ROAD 0.3 ACRE  
 New Road(s): Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)

Total project surface acreage to be disturbed: \_\_\_\_\_ (acres)

4.3 ACRE (INCLUDING ALTERNATE QUARRY)  
2.9 ACRE (EXCLUDING " " )



V. VARIANCE REQUEST (Rule R647-3-110)Yes ☒ No ☐

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above, should be identified below and justification given for the variance request(s).

Item Number	Variance Request Justification
109.7-HIGHWAYS	-LOCATED WITHIN SIMILAR HIGHWAY <sup>SETTING</sup> , STABILITY DEMONSTRATED BY AGE
109.12-TOPSOIL	-NO TOPSOIL SALVAGED IN PREVIOUS OPERATION ∴ NONE AVAILABLE
109.13-REVEG	-AREAS TO BE RE-DISTURBED ARE ~NOT VEGETATED ∴ 70% <del>OF</del> STANDARD IS NOT APPLICABLE

VI. SIGNATURE REQUIREMENT

I hereby commit to conduct mining operations and to reclaim the aforementioned small mine as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

Signature of Operator/Applicant: \_\_\_\_\_

Name (typed or printed): \_\_\_\_\_

Title/Position (if applicable): \_\_\_\_\_

Date: \_\_\_\_\_

NEED SIGNATURE  
(Attached)

#### IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining:

1. Keep the mining operation in a safe, clean, and environmentally stable condition. *WILL FOLLOW OSHA & MSHA REGS*
2. Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry. *NA*
3. Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination. *-YES PG 5*
4. Construct berms, fences, or barriers, when needed, above highwalls and excavations. *+ SIGNS -YES PG 4*
5. Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations. *NO TOXICS*
6. Remove all waste or debris from stream channels. *-NO STREAM CHANNELS*
7. Dispose of any trash, scrap metal, wood, machinery, and buildings. *-REMOVED WITHIN 1 YR OF CESSATION OF OPS*
8. Conduct mining activities so as to minimize erosion and control sediment. *-PG 5, SECTION 4.5*
9. Reclaim all roads that are not part of a permanent transportation system.
10. Stockpile topsoil and suitable overburden prior to mining. *-NO TOPSOIL, NO OVERBURDEN*
11. Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil, and suitable overburden. *PG 6 SEC 9.0 OVERALL SLOPE LNOTE LNA*
12. Properly prepare seedbed to a depth of six inches by ripping, discing, or harrowing.
13. Reseed disturbed areas with adaptable species. (The Division recommends seeding 20 lbs./acre of native and introduced species of grass, forb, and browse seed, and will provide a specific species list if requested.) *OK*
14. Plant the seed with a rangeland or farm drill, or if broadcast seeded, harrow or rake the seed 1/4-1/2 inch into the soil - fall is the preferred time to seed. *OK*